



Crl.O.P.(MD) No.2237 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.04.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. OP(MD). No.2237 of 2025

and

Cr1.M.P(MD) No.1563 of 2025

Amala Mary @ Amalrani

... Petitioner

Vs.

1. The Inspector of Police
All Women Police Station, Kovilpatti
Thoothukudi District

2. Arulmozhi

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS to call for the records pertaining to the impugned proceedings of the First Information Report in Crime No. 17 of 2024 dated 01.10.2024 on the file of the first respondent police and quash the same as against the petitioners herein.

For Petitioner : Mrs.M.Maria Vinola

For Respondents : Mr.M.Sakthi Kumar
No.1 Government Advocate (Crl. Side)

No.2 : Mr.K.Neelamegam



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ORDER

This petition has filed to quash the First Information Report in Crime No. 17 of 2024 on the file of the first respondent police.

2. The learned counsel appearing for the petitioner would submit that the second respondent has lodged a false complaint against the petitioner and others and based on the same, the first respondent registered a case in Crime No. 17 of 2024 for the offences under Sections 498(A) and 506(i) of IPC and Section 4 of D.P.Act. As per the prosecution case the defacto complainant is a divorcee and she has a female child . While so, the first accused married the defacto complainant on 10.12.2023 at Bangalore in Udupi Mahal and thereafter they went to Kovilpatti, Pallakku road to the house of the sixth accused. At that time on 25.12.2023 at about 10.00 p.m., the accused persons demanded Rs. 5Lakhs and also assailed the defacto complainant and the mother of the first accused also demanded 50 sovereigns of gold jewels. Thereafter on 16.01.2024 when the defacto complainant came to pacify her husband the respondents 5 and 6 used obscene words and demanded Rs.10 lakhs and also demanded dowry and thereby she lodged a complaint and based on which the present First Information Report has been registered. In fact no such occurrence had



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happened and all the allegations levelled against the husband of the defacto complainant and only vague and general allegations as against this petitioner that she demanded Rs.10 lakhs . Apart from this there is no allegations of demand of money and gold jewels . Apart from that there is no allegations against this petitioner. Only because the petitioner is the sister-in-law of the defacto complainant the present First Information Report has been registered. More over there is eight months delay in lodging the complaint. The petitioner is settled at Tirunelveli and the defacto complainant settled at Bangalore and there is no occasion to demand dowry as alleged by the defacto complainant, therefore the pending First Information Report is liable to be quashed.

3. The learned counsel appearing for the second respondent would submit that the petitioner along with others demanded dowry and caused harassment to the defacto complainant and thereby she lodged complaint and based on the same, the First Information Report has been registered in Crime No. 17 and 2024 and the investigation is still pending, therefore the petition is liable to be dismissed.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that based on the complaint given by the second



respondent the first respondent registered a case in Crime No. 17 of 2024 for the offences under Sections 498(A) and 506(i) of IPC and Section 4 of D.P.Act and now the case is under investigation and at this stage the petition is liable to be dismissed.

5. Heard both sides and perused the materials available on record.

6. There is a matrimonial dispute pending between the second respondent and her husband. This petitioner is none other than the second respondent's husband's sister, ie., sister-in-law of the second respondent. Due to matrimonial dispute based on the complaint lodged by the second respondent a case has been registered by the first respondent and the same is pending investigation. As per the First Information Report there is no specific allegations as against this petitioner and there are only vague and general allegations that the petitioner demanded Rs.10 lakhs and gold jewels and there is no mention on which date the petitioner demanded money. Only with vague and bald allegations the First Information Report has been registered. More over it is admitted fact that the defacto complainant is residing in Bangalore along with her husband and the petitioner is residing at Tirunelveli, thereby there is no any specific materials to constitute the offence as against the



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petitioner. Even as per the First Information Report they went to the house of the sixth accused and there is no any ingredients available to constitute the offence, therefore the defacto complainant lodged a complaint only with malafide intention to rope the petitioner herein into this criminal case. Therefore without any materials the pending First Information Report is abuse of process of law and thereby it is liable to be quashed.

7. In view of the same, the Criminal Original Petition stands allowed and the First Information Report in Crime No. 17 of 2024 on the file of the first respondent police is hereby quashed. Consequently connected miscellaneous petition stands closed.

07.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

1. The Inspector of Police
All Women Police Station, Kovilpatti
Thoothukudi District
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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